

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LEWIS RASHAAD ATWATER,	:	1:11-cv-2043
	:	
Plaintiff,	:	
	:	Hon. John E. Jones III
v.	:	
	:	Hon. Martin C. Carlson
OFFICER GABRIEL, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**ORDER**

**March 7, 2012**

In conformity with the Memorandum issued on today's date, it is hereby

**ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Martin C. Carlson (Doc. 16) is **ADOPTED** in its entirety.
2. The claims in this action are **DISMISSED** without prejudice to Plaintiff filing two separate complaints, addressing the separate claims he has against Defendants Officer Gabriel and Officer Bolden in two separate actions.
3. The action is **DISMISSED** as against Defendant Prime Care Health.

4. The Plaintiff's demand for a specific amount of unliquidated damages is **STRICKEN** from the amended complaint.
5. The Plaintiff's Motion for Leave to Proceed *in forma pauperis* (Doc. 4) is **GRANTED** for the sole purpose of filing this action, however no monies shall be deducted from the Plaintiff's account. Thus, the Administrative Order (Doc. 10) dated November 16, 2011 is **VACATED**. The Clerk of Court shall send a copy of this Order to the Warden/Superintendent of SCI-Camp Hill, and the Warden/Superintendent is directed not to withdraw funds from the Plaintiff's account.
6. The Plaintiff's successive Motion for Leave to Proceed *in forma pauperis* (Doc. 8) is **DISMISSED** as **MOOT**.
7. The Clerk of Court is directed to **CLOSE** the file on this case.

s/ John E. Jones III  
John E. Jones III  
United States District Judge